

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DONALD J. TRUMP and TRUMP
ORGANIZATION LLC,

Plaintiffs,

v.

LETITIA JAMES, in her official capacity
as Attorney General for the State of New
York,

Defendant.

Case No. 1:21-cv-1352 (BKS)(CFH)

NOTICE OF MOTION

Oral argument requested

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and declaration of Colleen K. Faherty, and the exhibits annexed thereto, Defendant Letitia James, Attorney General of the State of New York, sued in her official capacity, will move this Court before the Honorable Brenda K. Sannes, United States District Judge, at the James M. Hanley Federal Building & United States Courthouse, 100 S. Clinton St., Syracuse, New York, 13261, on a date set by the Court, for an order dismissing the complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and for such further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that Defendant requests oral argument on the motion to dismiss based on the need to help familiarize the Court with the facts and procedural history of the related ongoing state court proceedings involving Defendant's investigation of allegations of Plaintiffs' fraud and misrepresentation that is pending in New York Supreme Court, entitled *People v. The Trump Organization*, Index No. 451685/2020 (the "NY Proceeding"), as well as to advise the Court about the status of cross-motions filed in the NY Proceeding, which are scheduled for oral argument on February 17, 2022, concerning compliance with an administrative

subpoena served by Defendant on Plaintiff Donald J. Trump in December 2021 in connection with Defendant's investigation.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 7.1(a)(1), any opposing affidavits and answering memoranda shall be served within twenty-one days after service of these moving papers; and reply papers due no more than seven days after service of the response papers.

Dated: New York, New York
January 26, 2022

LETITIA JAMES
Attorney General
State of New York

/s/ Colleen K. Faherty
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